



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3164/en  
SRM:emw:...

## 2013 ASSEMBLY BILL 447

1     **AN ACT** *to create* 961.443 of the statutes; **relating to:** granting immunity from  
2             certain criminal prosecutions for offenses relating to a controlled substance or  
3             a controlled substance analog.

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*Analysis by the Legislative Reference Bureau*

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 961.443 of the statutes is created to read:  
5             **961.443   Immunity from criminal prosecution; possession.   (1)**  
6     **DEFINITIONS.** In this section, “aider” means a person who does any of the following:  
7             (a) Brings another person to an emergency room, hospital, fire station, or other  
8             health care facility if the other person is, or the person believes him or her to be,  
9             suffering from an overdose of, or other adverse reaction to, any controlled substance  
10            or controlled substance analog.

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(b) Summons a law enforcement officer, ambulance, emergency medical technician, or other health care provider, to assist another person if the other person is, or the person believes him or her to be, suffering from an overdose of, or other adverse reaction to, any controlled substance or controlled substance analog.

(c) Dials the telephone number “911” or, in an area in which the telephone number “911” is not available, the number for an emergency medical service provider, to obtain assistance for another person if the other person is, or the person believes him or her to be, suffering from an overdose of, or other adverse reaction to, any controlled substance or controlled substance analog.

**(2) IMMUNITY FROM CRIMINAL PROSECUTION.** An aider is immune from prosecution under s. 961.573, for the possession of drug paraphernalia, and under s. 961.41 (3g) for the possession of a controlled substance or a controlled substance analog, under the circumstances surrounding or leading to his or her commission of an act described in sub. (1).

**(END)**